Initial Study

Lands of Gateway Community Church Project

PDC 03-050

San Jose, California

October 2003

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I. INTRODUCTION AND PURPOSE

This Initial Study of environmental impacts is being prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 *et. seq.*), and the regulations and policies of the City of San José. This Initial Study evaluates the potential environmental impacts which might reasonably be anticipated to result from the development of single family residential units on the site. The 1.74-acre site is bounded by residential uses, Cherry Avenue, and Hicks Avenue in the City of San José.

According to the City's General Plan Discretionary Alternate Use Policy on Surplus Public/Quasi-Public and Public Parks/Open Space Land, an alternate use of property designated for Public/Quasi-Public or Public Parks and Open Space use may be approved under Planned Development zoning without an amendment to the Land Use/Transportation Diagram if such alternate use is compatible with existing and planned uses on neighboring properties and is consistent with applicable General Plan policies. The determination of such compatibility and consistency includes consideration of whether the site, in light of the overall planning for the surrounding area, would more appropriately be designated for uses of a public, quasi-public or recreational nature.

The project site is designated *Public/Quasi-Public*. The project proposes to develop eight single family detached residential units on the site. Single family residential uses are adjacent to the north, south and west of the site. The development of single family detached houses on the proposed site would be compatible with existing neighborhood land uses. For these reasons, the proposed project is consistent with the General Plan's Discretionary Alternate Use Policy concerning Surplus Public/Quasi-Public and Public Parks/Open Space Land.

The objective of the proposed project is to replace the Gateway Community Church with eight single family detached houses.

II. PROJECT DESCRIPTION

A. PROJECT LOCATION

The 1.74-acre site is located at 1952 Hicks Avenue in San José. The site is bounded by single family detached residential uses to the north, south and west and school fields to the east. Regional and vicinity maps of the site are shown on Figures 1 and 2, respectively. An aerial photograph showing surrounding land uses is shown on Figure 3.

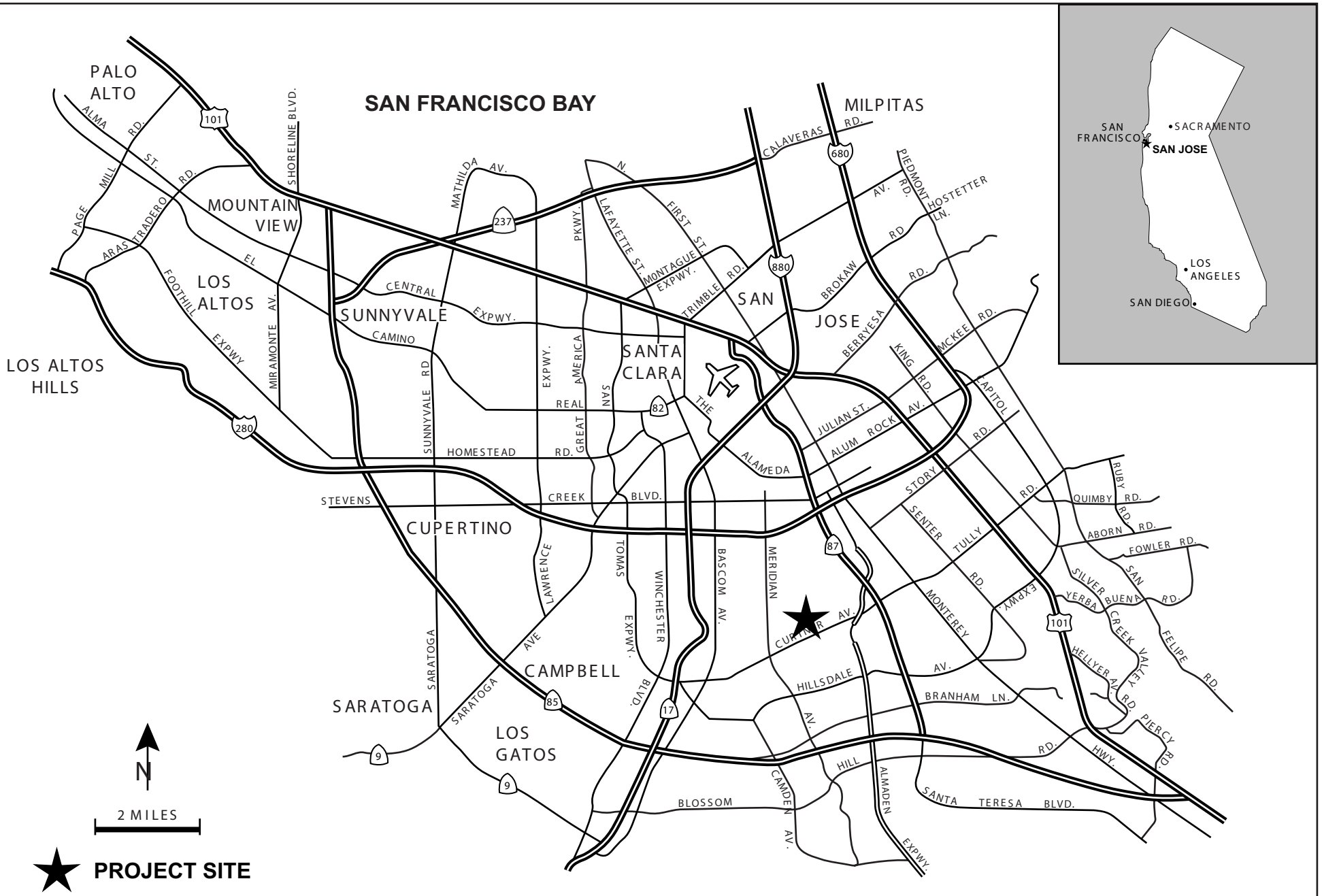
The proposed project site is surrounded by *Public/Quasi-Public, Low Density Residential (5 DU/AC) and Very Low Density Residential (2 DU/AC)* land uses.

B. PROJECT DESCRIPTION

The proposed project would include eight single family detached homes, associated driveways and parking, and landscaping on the site. Approximately 27 percent of the project site would be occupied with buildings, 16 percent by parking and driveways, and 47 percent with landscaping and open space. The conceptual site plan for the proposed project is shown in Figure 4.

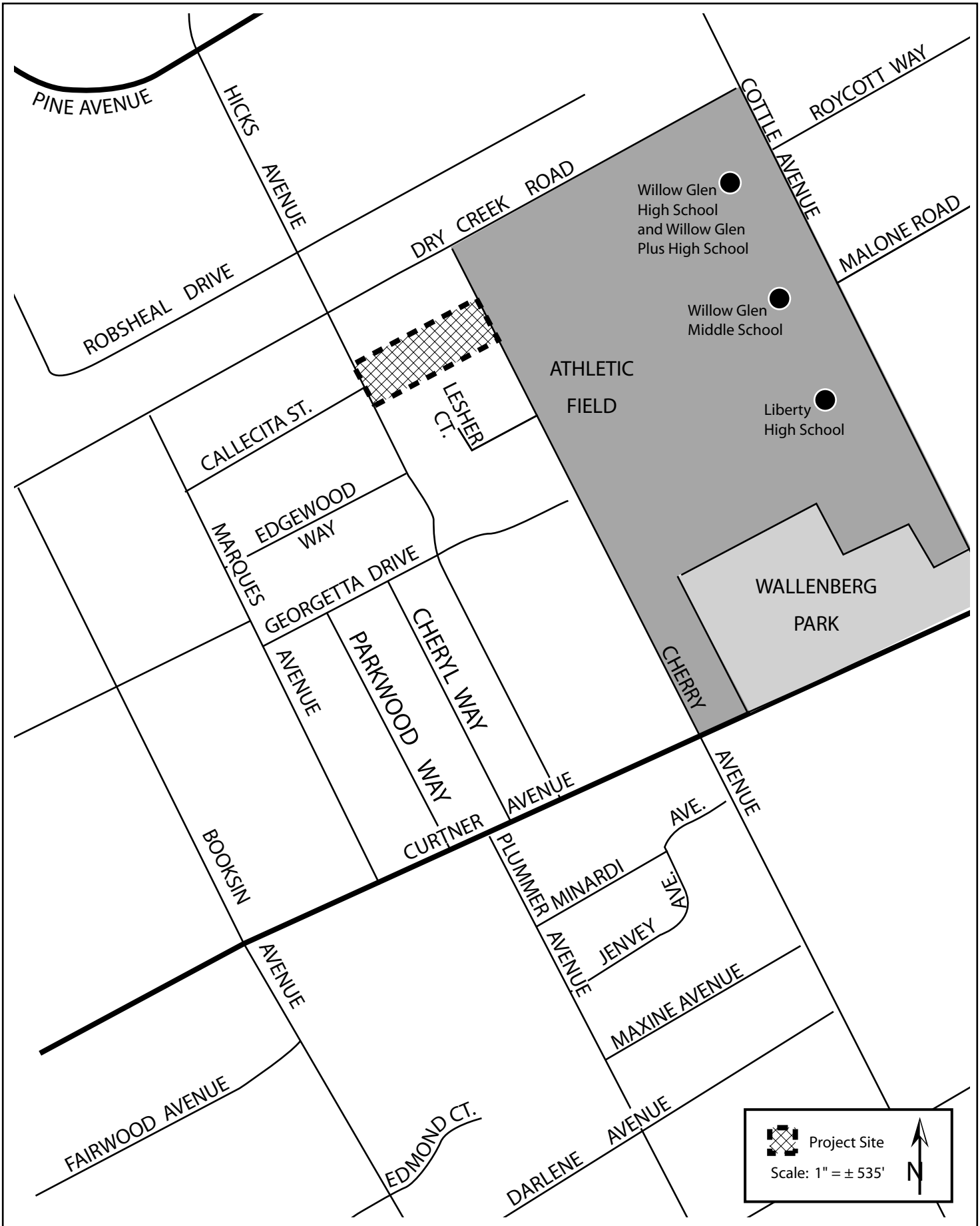
The project proposes eight, two-story, houses with a maximum elevation of 35 feet (see Figure 5). The houses would range from 3,752 square feet to 4,039 square feet in size. Each unit would include two to three car garages. Eight additional off-street parking spaces would also be provided along the private street.

Access to the site would be provided via Cherry Avenue and Hicks Avenue. Vehicular circulation through most of the site would be provided by a private street along the northern portion of the site, ranging from 35.0 feet to 19.5 feet wide. Off-street parking, access to private driveways and sidewalks would be located along the private street. Access to the private street and units one and two would be from Cherry Avenue. Units seven and eight on Figure 4 would be directly accessed from Hicks Avenue.



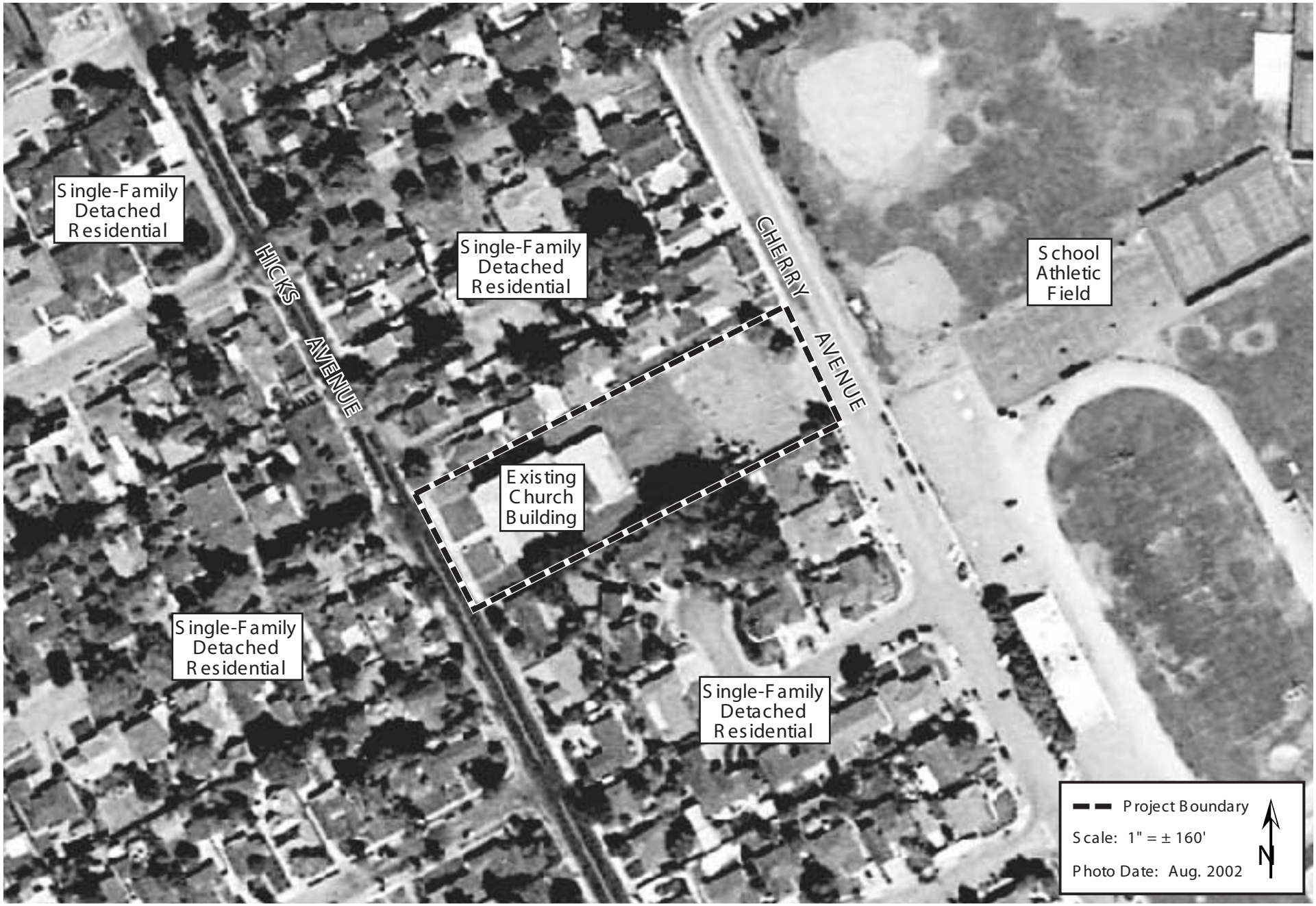
REGIONAL MAP

FIGURE 1



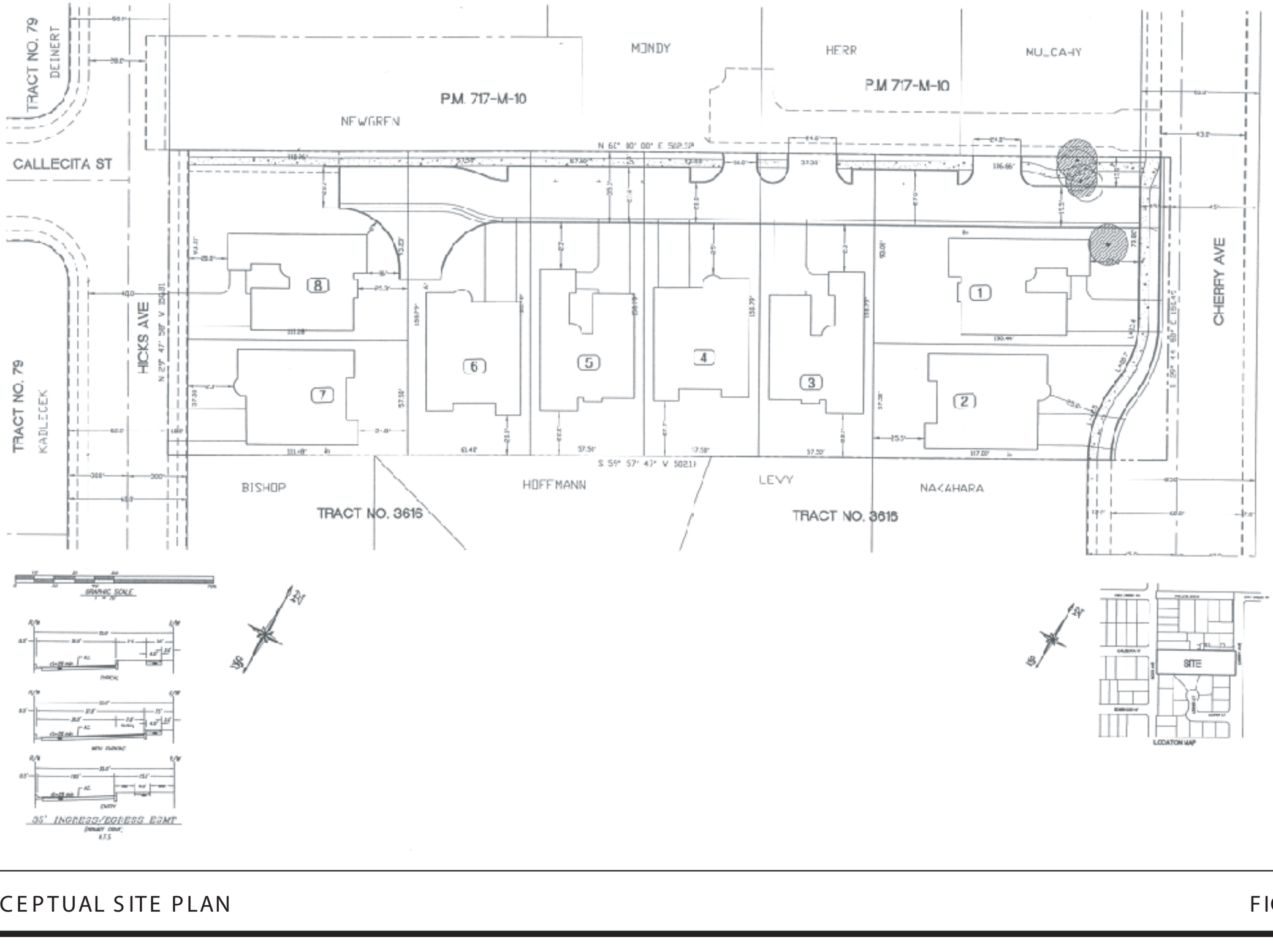
VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH

FIGURE 3



CONCEPTUAL SITE PLAN

FIGURE 4

RIGHT SIDE ELEVATION scale 1/4"=1'-0"

REAR ELEVATION scale 1/4"= '-0"

LEFT SIDE ELEVATION scale 1/4"=1'-0"

FRONT ELEVATION scale 1/4"=1'-0"

TYPICAL HOUSING ELEVATIONS

FIGURE 5

C. PROJECT OBJECTIVE

The objective of the project is to replace the existing church with eight single-family, infill residential units.

D. CONSISTENCY WITH ADOPTED PLANS AND POLICIES

1. Regional Plans

Bay Area 2000 Clean Air Plan
Bay Area Air Quality Management District

The 2000 Clean Air Plan ('00 CAP) established regional policies and guidelines to meet the requirements of the Clean Air Act, as amended through 1990. The Bay Area is a non-attainment area for ozone and PM_{10}, since state standards are exceeded for these pollutants.

The Bay Area '00 Clean Air Plan was adopted in 2000. It outlines measures and improvements to help the Bay Area comply with the State's ozone standard, and is the current regional strategy for improving air quality. The Plan proposes the adoption of transportation, mobile source and stationary source controls on a variety of pollutant sources to offset population growth and provide improvement in air quality. The consistency of the proposed project with this regional plan is primarily a question of the consistency with the population/employment assumptions utilized in developing the Plan. The '00 CAP was based on the City's General Plan in effect at the time the CAP was approved.

Consistency: *The proposed project would contribute to a slight increase in traffic on local streets and on the regional transportation network. Construction activities associated with the future development of the proposed project would temporarily increase traffic in the project vicinity.*

The proposed project is consistent with the General Plan Discretionary Alternate Use Policy regarding Surplus Public/Quasi-Public and Public Parks/Open Space Land. To the extent that growth projections in the Clean Air Plan are based on the existing General Plan buildout and the General Plan takes into account discretionary uses, the proposed project is consistent with the '00 CAP.

San Francisco Bay Region Water Quality Control Plan

The Regional Water Quality Control Board (RWQCB) has developed and adopted a Water Quality Control Plan (the Plan) for the San Francisco Bay region. The Plan is a master policy document that contains descriptions of the legal, technical, and programmatic bases of water quality regulations in the San Francisco Bay region. The RWQCB first adopted a water quality control plan in 1975 and the last major revision was adopted in 1995.

The Plan provides a program of actions designed to preserve and enhance water quality and to protect beneficial uses based upon the requirements of the Porter-Cologne Act. It meets the requirements of the U.S. Environmental Protection Agency (EPA) and establishes conditions related to discharges that must be met at all times.

The implementation portion of the Plan includes descriptions of specific actions to be taken by local public entities and industries to comply with the policies and objectives of the Plan. These include measures for urban runoff management and agricultural wastewater management. As of June 2002, the Plan also includes an amendment which requires the identification of Total Maximum Daily Loads (TMDLs) for each water-body within the jurisdiction of the RWQCB. A TMDL defines the specified maximum amount of a pollutant which can be discharged into the water-body from all combined sources. These water-body specific targets are considered necessary by the EPA in order to attain water quality standards in an impaired watercourse.

***Consistency**: Approximately 75 percent of the site is currently paved and developed. The undeveloped portion of the site is barren, except for seven trees on the northeast portion of the site. With the proposed landscaping and open space areas, the proposed project would decrease the amount of impervious surfaces, and therefore, would reduce the amount of runoff from the site. New development, on the site would conform to the requirements of the City of San José regarding erosion and sedimentation control during construction, including preparation and conformance with a Storm Water Pollution Prevention Plan (SWPPP), which identifies specific measures for reducing construction and post construction impacts. Any new development would also be subject to Best Management Practices (BMPs), which would likely improve the condition of storm water runoff, as compared to existing conditions.*

Santa Clara Valley Urban Runoff Pollution Prevention Program

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), previously called the Santa Clara Valley Non-Point Source Program, was developed in accordance with the requirements of the 1986 San Francisco Bay Basin Water Quality Control Plan, for the purpose of reducing water pollution associated with urban storm water runoff. This program was also designed to fulfill the requirements of Section 304 (1) of the Federal Clean Water Act, which mandated that the EPA develop National Pollution Discharge Elimination System (NPDES) Permit application requirements for various storm water discharges, including those from municipal storm drain systems and construction sites.

Further runoff protection measures were approved in October 2001, when the RWQCB approved an amendment to the NPDES permit number CAS 029718, Provision C.3. This amendment requires all new and redevelopment projects that result in the addition or replacement of impervious surfaces totaling 43,560 square feet (one-acre) or more, to be designed with BMPs that reduce storm water pollution to the maximum extent practicable through source control measures and storm water treatment measures.

***Consistency:** Development on the site will be required to implement erosion control and storm water management practices during project construction, in accordance with the SCVURPPP and NPDES permit requirements. Potential impacts to the water quality of runoff could occur during construction. Runoff-borne pollution and associated impacts would increase both during and after construction of future development on the site. Section II.H. Hydrology and Water Quality of this Initial Study identifies programmatic mitigation measures, including conformance with the SCVURPPP, that will serve to reduce water quality impacts from the proposed development.*

2. Local Plans

City of San José 2020 General Plan

The City of San José's General Plan is an adopted statement of goals and policies for the future character and quality of development of the community. All major strategies are designed to reinforce and support each other for internal consistency. The following is a summary of relevant sections of the General Plan that would apply to the proposed project.

Major Strategies

Economic Development Strategy

The Economic Development Strategy goals and policies are necessitated by an existing local government tax structure base which requires cities to maximize tax revenue from non-residential development to support the services required by residential land uses. Currently, the City of San José provides affordable housing for employment opportunities in other cities, and is deficient in terms of job growth. The City's past development pattern has resulted in an inadequate tax base for providing service levels, and has contributed to the countywide traffic congestion conditions. The City's Economic Development Strategy strives to make San José a more "balanced community" by: 1) encouraging more commercial and industrial growth to balance existing residential development; 2) equitably distributing job centers and residential areas; and 3) controlling the timing of development. This concept is generally known as the jobs/housing balance.

Consistency: *By adding residential units to the site, the proposed project would slightly increase the amount of housing and contribute to the worsening of San José's existing jobs/housing imbalance. The proposed project, therefore, would not be consistent with the Economic Development Strategy.*

Housing Major Strategy

The goals of the City of San José s Housing Strategy include improving San José's existing housing resources, meeting the housing needs of all segments of the community, and providing a variety of housing types within the community for all economic levels. The General Plan states that sound growth should be encouraged in the City by designated suitable vacant or underutilized sites for new residential development. The General Plan Housing Strategy encourages 1) a variety of housing types, 2) the development of mixed uses, 3) development in downtown core areas, and 4) requirements of developers for projects with ten or more dwelling units to provide at least 10% of their units at rents or prices that are affordable to low and moderate income households, provided that Redevelopment Agency housing funds are available.

Consistency*: The proposed project would allow eight single family detached houses at an infill location in San José. The project is consistent with the City of San José's Housing Major Strategy.*

Sustainable City Strategy

The Sustainable City Major Strategy is a statement of San José's commitment to becoming an environmentally and economically sustainable city. Programs promoted under this strategy include recycling, waste disposal, water conservation, transportation demand management, and energy efficiency. The Sustainable City Strategy is intended to support these efforts by ensuring that development is designed and built in a manner consistent with the efficient use of resources and environmental protection.

Consistency: *Development on this site would be designed to conform to adopted San José 2020 General Plan policies. Compliance with those policies will ensure that the project will be designed to reduce traffic congestion and corresponding air pollution, and environmental degradation. Therefore, the proposed project is consistent with the Sustainable City Strategy, as described in the San José 2020 General Plan.*

Growth Management

The purpose of the Growth Management Major Strategy is to find the delicate balance between the need to house new population and the need to balance the City's budget, while providing acceptable levels of service. The City's strategy for growth management can best be described as the prudent location of new development to maximize the efficient use of urban facilities and services, and, to this end, the General Plan encourages infill development within urbanized areas.

Consistency*: The project site is an "infill" site, located within an urbanized area of San José. Therefore, development of the site with residential land uses would be consistent with the City's Growth Management strategy.*

Goals and Policies

Community Development

Residential Land Use goals and policies reflect the City's desire to preserve the environment and livability of existing residential neighborhoods and to promote higher density residential development that preserves existing neighborhood character and community resources. Additionally, the Residential Land Use goals and policies reflect concerns for the protection of neighborhoods from incompatible land uses, the adequacy of public facilities and services, and protection from hazards. These goals and policies are primarily guidelines for the development of residential neighborhoods and proximate land uses.

The City's goals for residential development are to provide a high quality living environment that maintains the character of existing neighborhoods in an area that is compatible with surrounding land uses; is protected from hazards; and that will ensure that the lands designated for residential use will maximize the City's housing supply.

Consistency: *The proposed project would be consistent with the City's Residential Land Use goal of land use compatibility. The site is adjacent to residential uses on the north, south, and west. The site is not adjacent to industrial uses and would not likely expose future residents to hazardous materials. For these reasons, the proposed project would be consistent with the Residential Land Use goals and policies.*

Balanced Community Policy #1

The Balanced Community policy of the General Plan states that the city should foster development patterns that will achieve a whole and complete community in San José, and improve the balance between jobs and housing development, particularly with improving the balance between housing resources and a resident work force. Currently, more San José residents travel outside the City for their jobs, which results in a housing rich city. A perfect balance between jobs and housing may not be achievable, but the City should attempt to improve this balance to the greatest extent feasible.

The proposed project would allow the site to be developed with eight residential units, thus slightly affecting the current jobs/housing imbalance.

Consistency: *The proposed project would result in a net increase of eight residential houses and the loss of jobs associated with the existing church. The proposed development would not be consistent with the Balanced Community Policy.*

Land Use/Transportation Diagram

The land use goals in the General Plan are structured to promote efficient and compatible use of land through protection of desirable uses, orderly development and consideration of the community's future needs. Elements of these goals and policies promote higher density residential development at infill locations that are convenient to transit.

The site is designated as *Public/Quasi-Public.* This category is used to designate public land uses, including schools, homeless shelters, libraries, fire stations, water treatment facilities, and governmental offices.

According to the City's General Plan Discretionary Alternate Use Policy on Surplus Public/Quasi-Public and Public Parks/Open Space Land, an alternate use of property designated for Public/Quasi-Public or Public Parks and Open Space use may be approved under Planned Development zoning without an amendment to the Land Use/Transportation Diagram if such alternate use is compatible with existing and planned uses on neighboring properties and is consistent with applicable General Plan policies.

The project proposes to develop eight single family detached residential units on the site. Single family residential uses are adjacent to the north, south and west of the site. The development of single family detached houses on the proposed site would be compatible with existing neighborhood land uses. For these reasons, the proposed project is consistent with the General Plan's Discretionary Alternate Use Policy and the Land Use/Transportation Diagram.

Consistency*: The project would be consistent with the Land Use/Transportation Diagram.*

III. ENVIRONMENTAL SETTING, CHECKLIST AND DISCUSSION

This section describes the existing environmental conditions on and near the subject site, as well as environmental impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, identifies environmental impacts that could occur if the proposed project is implemented. The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of the checklist. Where appropriate, this section includes an explanation for those adverse impacts determined to be less than significant.

A. AESTHETICS

1. Setting

The proposed 1.74-acre site is within a public/quasi-public and residential area of San José. The site and the surrounding area are flat, and as a result, the site is only visible from the immediate area. The site is currently occupied by an approximately 10,000 square foot church, surface parking and minimal landscaping. The northeast corner of the site is barren, except for seven trees. Several skateboard ramps and a basketball hoop are also present in this area. The site is bordered to the north, south and west by two-story single family detached residential uses (see Photos 1-8).

The site is not located within a scenic viewshed or along a scenic highway.

2. Environmental Checklist and Discussion

AESTHETICS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	☐	1, 2
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐	☐	1, 2
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	☐	1, 2
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐	☐	1

Photo 1 - View of site and existing Church building from Hicks Avenue, looking northeast.

Photo 2 - View of adjacent residences from Hicks Avenue, looking southeast.

PHOTOS 1 AND 2

Photo 3 - View of rear of church and parking lot, taken from southeastern portion of the site, looking northwest.

Photo 4 - View of northeastern portion of the site looking northeast, towards Cherry Avenue. The existing skateboard ramps on the site are shown in the foreground. Willow Glen High School, Middle School, and athletic field can be seen in the background of the photo.

Photo 5 - View of northeastern portion of the site, looking towards Cherry Avenue.

Photo 6 - View from Cherry Avenue, looking northeast at schools' athletic field.

Photo 7 - View of site from Cherry Avenue, looking northwest.

Photo 8 - View of adjacent properties on Cherry Avenue, looking southeast.

Discussion:

Change in Visual Character

The proposed project would allow for the construction of eight two-story single family houses on a 1.74-acre site within an urban area of San José. The proposed development would change the visual conditions of the project site. However, the site is only visible from the surrounding roadways (Hicks Avenue and Cherry Avenue) and adjacent land uses. Most of the surrounding land uses are single family residential. Development of two-story single family housing units would not be inconsistent with the scale of the surrounding development. Given the developed nature of the site and the fact that there are no scenic corridors or resources present at the site, the project would not result in significant visual or aesthetic impacts. No scenic vistas or resources would be impacted as a result of this project.

Light and Glare Impacts

The project would include light fixtures attached to exterior walls of the proposed houses. Adjacent uses to the proposed site are set back by roads to the north, east and west. No other additional lighting is proposed. The project's lighting would not result in significant new light and glare impacts.

3. Conclusion

Development of the proposed project would not result in significant visual or aesthetic impacts. **(Less Than Significant Impact)**

B. AGRICULTURAL RESOURCES

1. Setting

The proposed project site is located within an public/quasi-public and residential area of San José. According to the Santa Clara County Important Farmland 2000 map, the proposed project area is designated *Urban and Built-up Land.*

Urban and Built-up Land is classified as residential land with a density of at least six units per ten-acre parcel, as well as land used for industrial and commercial purposes, golf courses, landfills, airports, sewage treatment and water control structures.

2. Environmental Checklist and Discussion

AGRICULTURAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	☐	3
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	☐	3
3) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒	☐	1

Discussion: The proposed site is located in an urban area of San José and is not currently used for agricultural purposes. On the Santa Clara County Important Farmland 2000 map, the property is not listed as Prime Farmland, Farmland with Statewide Importance, Unique Farmland or Farmland of Local Importance. No farmland or lands under Williamson Act contract are present in the general area. Therefore, the proposed project site is not located on agricultural land, and the project would not result in any impact to agricultural resources.

3. Conclusion

The proposed project would have no adverse impacts on agricultural land or agricultural activities. **(No Impact)**

C. AIR QUALITY

1. Setting

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and for photochemical pollutants, sunshine.

The Bay Area typically has moderate ventilation, frequent inversions that restrict vertical dilution, and terrain that restricts horizontal dilution. These factors give the Bay Area a relatively high atmospheric potential for pollution.

The Bay Area Air Quality Management District (BAAQMD) is the local agency authorized to regulate stationary air quality sources in the Bay Area. The BAAQMD monitors air quality at several locations within the San Francisco Bay Air Basin. The nearest monitoring site to the project site is located in downtown San José, on Fourth Street. Exceedances of state and federal standards at the Fourth Street monitoring site during 1993-1996 and 1998-1999 periods were due to ozone and PM_{10} levels above the state standard. Violations of the carbon monoxide standards were recorded prior to 1992.

Of the three pollutants known at times to exceed the state and federal standards in the project area, two are regional pollutants. Both ozone and PM_{10} are considered regional pollutants in that concentrations are not determined by proximity to individual sources, but show a relative uniformity over a region. The third pollutant, carbon monoxide, is considered a local pollutant because elevated concentrations are usually only found near the source.

The Federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state, where the federal or state ambient air quality standards are not met, as "nonattainment areas." Because of the differences between the national and state standards, the designation of nonattainment areas is different under the federal and state legislation. Under the California Clean Air Act, Santa Clara County is classified as a nonattainment area for ozone and PM_{10}. The county is either in attainment or unclassified for other pollutants.

Sensitive Receptors

The BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses included residences, school playgrounds, child-care centers, retirement homes, convalescent homes, hospitals and medical clinics. Sensitive receptors near the project site include the residential uses adjacent to the north, south and west, and Willow Glen Middle and High School, located approximately 0.2 miles east of the site.

2. Environmental Checklist and Discussion

AIR QUALITY	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	☐	1, 4
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☐	4
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	☐	4
4) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	☐	4
5) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	☐	1, 4

Discussion:

Regional and Local Impacts

The project proposes to construct residential uses on a currently developed public/quasi-public site within an urban area. The BAAQMD has established thresholds for what would typically be considered a significant addition to existing air pollution. A project that generates more than 80 pounds per day of reactive organic gases (ROG) is considered to have a potentially significant impact on regional air quality, according to the BAAQMD CEQA guidelines. The BAAQMED generally does not recommended a detailed air quality analysis for projects generating less than 2,000 vehicle trips per day, unless warranted by the specific nature of the project setting.[1]

The proposed project would construct eight residential units on the site. The project is anticipated to generate approximately 76 Average Daily Trips (ADTs).[2] Because the number of project-generated traffic trips falls well below the BAAQMD's potential impact threshold, an analysis is not required, and the project is assumed to result in less than significant long-term air quality impacts.

[1] *BAAQMD CEQA Guidelines*, Dec. 1999.
[2] Institute of Transportation Engineers. *Trip Generation.* (#DU) x (9.55 trip generation for single family detached/DU)

Construction-Related Impacts

Construction activities such as earthmoving, excavating, and grading operations, construction vehicle traffic and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-water based paints, thinners, some insulating materials, and caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application.

Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when and if underlying soils are exposed to the atmosphere.

The effects of construction activities would be increased dustfall and locally elevated levels of PM_{10} downwind of construction activity. Construction dust has the potential for creating a nuisance at nearby properties. This impact is considered potentially significant.

Impact: Construction of the proposed project could result in significant short-term air quality impacts associated with dust generation.

Mitigation: The BAAQMD has prepared a list of feasible construction dust control measures that can reduce construction impacts to a level that is less than significant. The following construction practices would be implemented during all phases of construction on the project site:

- Use dust-proof chutes for loading construction debris onto trucks.
- Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.

3. Conclusion

The proposed project would not result in significant long-term air quality impacts. Implementation of the above described mitigation measures would reduce local air quality impacts associated with the construction of the proposed project to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

D. BIOLOGICAL RESOURCES

1. Setting

The project site is located within a developed area of San José. The project site is primarily covered by impervious surfaces, including an existing church and surface parking. Landscaping, including lawns, small shrubs, and flowers, is present in front of the church on the southwest portion of the site, along Hicks Avenue. Small bushes and flowers are spaced along the northern and southern borders of the site. There are seven trees on the northeast portion of the site.

City of San José Tree Ordinance

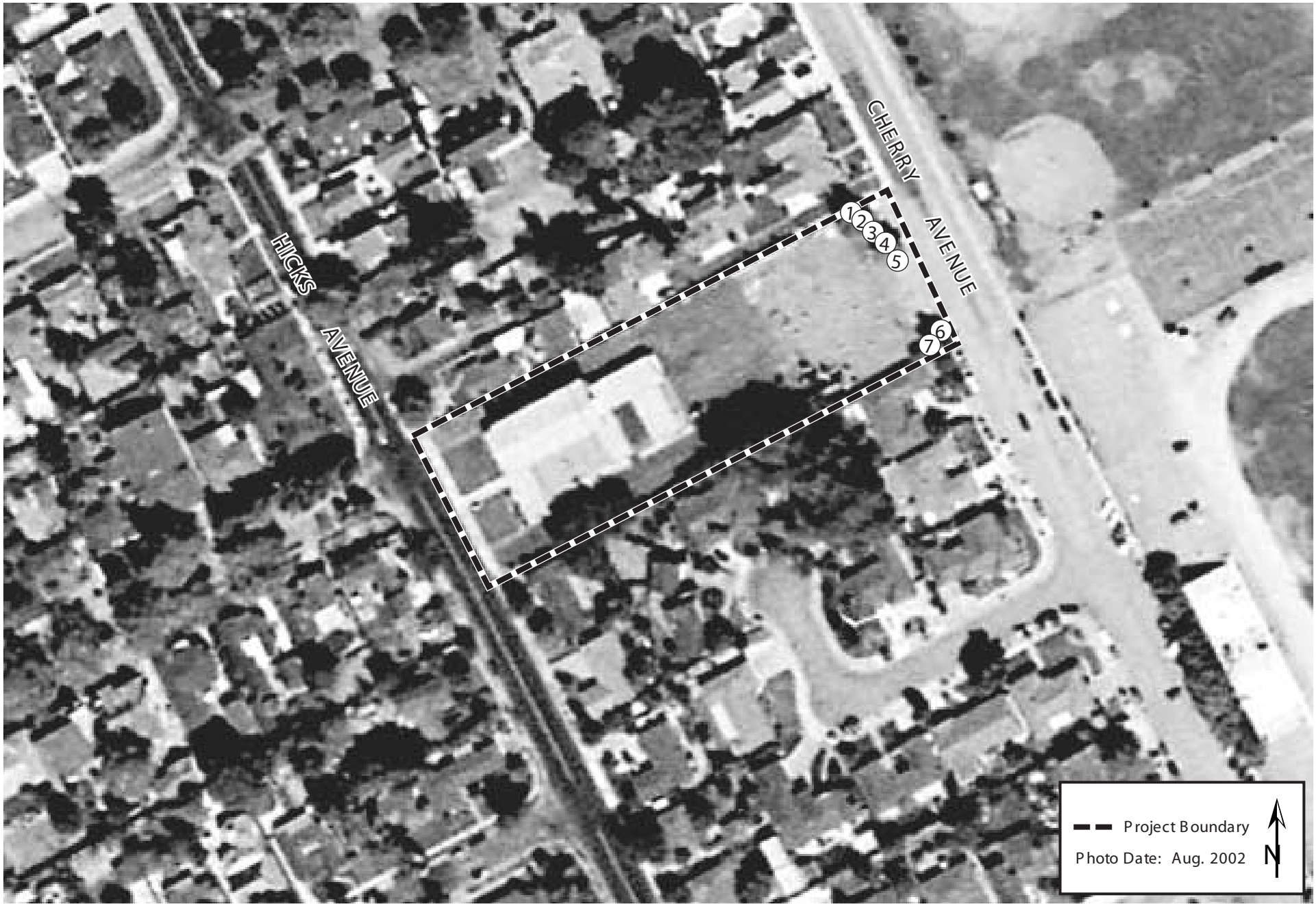
The City of San José Tree Ordinance defines an ordinance-sized tree as "any woody perennial plant characterized by having a main stem or trunk which measures 56 inches or greater in circumference at a height of 24 inches above natural grade slope". A tree removal permit is required from the City for the removal of ordinance-sized trees. Table 1 shows that one of the seven trees on the site is ordinance-size.

TABLE 1: TREE SURVEY

Tree #	Common Name	Scientific Name	Diameter @ 24"	Comments	Planned Removal
1	Silver Wattle	*Acacia decurrens*	37		No
2	Silver Wattle	*Acacia decurrens*	25		No
3	Silver Wattle	*Acacia decurrens*	38		No
4	Silver Wattle	*Acacia decurrens*	32,53	Multi-stem	No
5	Silver Wattle	*Acacia decurrens*	41,36	Multi-stem	No
6	Coast Live Oak	*Quercus agrifolia*	21		No
7	**Coast Live Oak**	***Quercus agrifolia***	**65**		**Yes**

City of San José Heritage Trees

Under the City of San José Municipal Code, Section 13.28.330 and Section 13.32.090, specific trees are found, because of factors including, but not limited to, their history, girth, height, species or unique quality, to have a special significance to the community and are designated Heritage Trees. There were no heritage trees identified on the project site.



TREE SURVEY

FIGURE 6

2. Environmental Checklist and Discussion

BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐	1, 2
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐	1
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐	1
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☐	☒	☐	1
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	☐	1, 2
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	☐	1

Discussion: The wildlife most often associated with developed areas are those that are most tolerant of periodic human disturbances, including several introduced species such as European Starlings, Rock Doves, House Mice, and Norway Rats. Native species that are able to utilize these habitats include Western Fence Lizards, American Robins, Brewer's Blackbirds, Northern Mockingbirds, Mourning Doves, House Finches, and Striped Skunks.

There were no unique biological features observed on the site. No endangered, threatened, special status animal or plant species, or important wildlife breeding, nesting or feeding areas were observed on the site. No riparian corridor habitats are present on the site or in the vicinity. The proposed project does not conflict with any conservation plans.

Ordinance-Size Trees

The proposed project would retain trees numbered one through six and remove tree seven (refer to Table 1 and Figure 6). The project would result in the removal of an ordinance-size tree. A tree removal permit may be required from the City for the removal of ordinance-sized trees.

Impact: Construction on the project site would result in the removal of one ordinance-size tree on the site.

Mitigation: Implementation of the following mitigation measures will reduce impacts of removing trees to a less than significant level:

- The ordinance-size tree to be removed as part of the project would be replaced with 24-inch box specimen tree at a ratio of four to one (4 replacements: 1 removed), in accordance with City of San José Planning Department guidelines. In the case that a non-ordinance size tree is removed, it will be replaced at a ratio of two to one (2 replacements: 1 removed).

- The planting area would be graded as required to provide appropriate topography and hydrology for the planting.

- Soils would be amended, as necessary.

3. <u>Conclusion</u>

With implementation of the above mitigation measures, the project would not result in significant impacts to biological resources. **(Less Than Significant Impact with Mitigation Incorporated)**

E. CULTURAL RESOURCES

The following discussion is based on a historical evaluation prepared for this project by *Preservation Architecture* in October 2003 and an archaeological sensitivity map by *Basin Research Associates, Inc.* in March 1993. The historical report is provided in Appendix A of this Initial Study.

1. Setting

The 1.74-acre project site is a developed parcel in San José, located approximately 0.3 miles southeast of Dry Creek. The existing church was constructed in 1958 and rear additions were constructed in 1972 (refer to Photos 1 and 3).

Historic Resources

Based upon the historical evaluation completed by *Preservation Architecture*, the Gateway Community Church site and building are not eligible for the *National Register of Historic Places*, the *California Register of Historic Resources*, or the City of San José's criteria for historic resources.

Because the church is less than 50 years of age and has no exceptional cultural or historical importance, it does not qualify for the *National Register of Historic Places*. The church does not qualify for the *California Register of Historic Resources* because the building is not significant in the context of local or regional history, is not associated with historically important persons, and does not meet the threshold of architectural interest or significance. To qualify for a Contributing Structure or Structure of Merit, a building must score a minimum of 33 points on the City's historic resource inventory; the Gateway Community Church scored 29.62 points and therefore, does not meet this threshold.

Prehistoric Resources

The project site has no known or recorded archaeological sites or features (villages/settlements, adobes, trails), and the site is not considered archaeologically sensitive.

2. Environmental Checklist and Discussion

CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:	☐	☐	☒	☐	☐	1, 5
1) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?						12
2) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☐	☒	☐	☐	5
3) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☒	☐	☐	1, 5
4) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	☐	5

Discussion:

Historic Resources

For the reasons mentioned above, the existing Gateway Community Church and property do not have historical significance at the national, state or city level. Demolition of the existing structure and development of the proposed project would have no impact on historic resources.

Prehistoric Resources

Due to the lack of recorded cultural resources on or near the site, the general area has a low potential for containing buried or obscured archaeological resources. Development of this property is not anticipated to impact archaeological resources. However, should any archaeological resource be found during grading operations, their disturbance would be a significant impact.

Impact: Although the site is not within an archaeologically sensitive area and there are no known archaeological resources on the site, there is a potential to uncover previously unrecorded prehistoric or historic cultural resources during ground disturbing construction activities.

Mitigation: The following measures would be incorporated as part of the project in the unlikely event that historic or prehistoric resources are uncovered during project construction:

- Construction personnel involved in the site clearing and subsequent grading and trenching shall be warned that there is a potential for the discovery of archaeological materials. Indicators of archaeological site deposits include, but are not limited to, the following: darker than surrounding soils, evidence of fire (ash, fire altered rock and earth, carbon flecks), concentrations of stone, bone and shellfish, artifacts of these materials and burials, either animal or human.

- In the event any unanticipated prehistoric or significant historic era cultural materials are exposed during construction, all grading and/or excavation operations within 25 feet of the find shall be halted and a qualified professional archaeologist shall be contacted for evaluation and further recommendations.

3. Conclusion

The project would not result in significant cultural resource impacts. **(Less Than Significant Impact)**

F. GEOLOGY AND SOILS

The following discussion of the geologic features, soils, and seismic conditions of the project site is based on the Cooper-Clark *Geotechnical Investigation for the City of San José Sphere of Influence* (1974), the USGS *Generalized Geologic Map* (1975) and the County of Santa Clara, Department of Public Works soil map sheet 10N/04E (1964).

1. Setting

Regional Geologic Setting

The City of San José is located in the eastern portion of Santa Clara Valley. Santa Clara Valley is surrounded by the Santa Cruz Mountains to the west and the Diablo Mountain Range to the east. The slopes of the Santa Cruz Mountains range from 40 to 60 percent with complex ridges that reach an elevation of 2,000 to 3,400 feet. The slopes of the Diablo Mountains consist of parallel ridges that range from 20 to 60 percent in the higher elevations and have a slope range of 20 to 40 percent near the valley floor. The elevation varies from 1,000 to 2,000 feet, in the lower foothills, to 4,300 feet at the highest peak. The geology consists of Franciscan-Knoxville, marine sedimentary rocks, and Pliocene strata. The valley floor consists mostly of Quaternary clay, sand, and gravel with isolated areas of Tertiary volcanic rock.

The project site is located on the Valley floor which was formed in the Holocene period approximately 11,000 years ago by the sediment runoff of the many rivers and streams that entered the Valley from both mountain ranges creating alluvial fans and flood plains. The Valley floor is mostly flat and the elevation ranges from 150 to 400 feet above sea level. The alluvial fans are diversely defined as moderately to poorly sorted silt and clay rich in organic material containing fresh-water and aboriginal artifacts; a potential resource that provides deposits good for agriculture; and a potential hazard for shrink-swell problems and periodic flooding.

Drainage from the valley floor runs mostly north into the San Francisco Bay. The drainage is well developed, yet there are areas where poorly drained soils occur.

Regional ground water has been recorded at depths of roughly 10 to 20 feet below the ground surface. Fluctuations in ground water levels may occur seasonally and over a period of years because of variation in precipitation, temperature, irrigation and other factors.

The project site is located approximately 4.0 miles southeast of the Santa Teresa Hills. The site is approximately 0.3 miles west of Dry Creek and approximately one mile east of the Guadalupe River, both of which flow northward towards San Francisco Bay.

On-Site Geologic Conditions

Soils

The site soils are described as Quaternary alluvium (Qal), which consists of unconsolidated to weakly consolidated silt, sand, and gravel. The alluvium in this area could be up to 50 meters in thickness. Yolo loam (YaA) is underlain by Quaternary alluvium.

The soils on-site could exhibit a moderate potential for expansion. Expansive soils shrink and swell as a result of moisture changes. These changes can cause heaving and cracking of slabs-on-grade, pavements and structures founded on shallow foundations. Because the site topography is flat, there is no erosion or landslide hazard.

Seismicity

San José is within Santa Clara County, which is part of the seismically active San Francisco Bay Area. It is classified as Zone 4, the most seismically active zone in the United States. An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the project site. The degree of shaking is dependent on the magnitude of the event, the distance to its zone of rupture and local geologic conditions. Potential seismic hazards could result from an earthquake on one of the following major fault lines in the region: the San Andreas Fault, the Hayward Fault and the Calaveras Fault. The San Andreas Fault runs north/south and parallel to the Hayward Fault and the Calaveras Fault line. The San Andreas Fault is approximately 3.6 miles southwest of the site, the Hayward Fault, approximately 8.0 miles northeast of the site, and the Calaveras Fault, approximately 9.7 miles northeast of the site.

Liquefaction

Liquefaction is the result of seismic activity and is characterized as the transformation of loosely water-saturated soils from a solid state to a liquid-like state after ground shaking. There are many variables that contribute to liquefaction including the age of the soil, soil type, soil cohesion, soil density, and ground water level. The sediments left by the Diablo Mountain Range and the Santa Cruz Mountains formed broad alluvial fans during the past 10,000 years resulting in a relatively young valley, which is more susceptible to liquefaction.

The project site has a moderately high potential for liquefaction, with a moderately low potential for ground failure vertically, and a low potential for ground failure laterally.

2. Environmental Checklist and Discussion

GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:						
a) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐	☐	5, 6
b) Strong seismic ground shaking?	☐	☐	☒	☐	☐	1, 5, 6
c) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	☐	1, 5
d) Landslides?	☐	☐	☐	☒	☐	1, 5
2) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	☐	1, 8, 9
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	☐	7, 8, 9
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐	☐	8, 9
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	☐	1

Discussion:

Soils

The project site includes moderately expansive soils, which may expand and contract as a result of seasonal or man-made soil moisture conditions. Expansive soil conditions could potentially damage the future buildings and improvements on the site which would represent a significant impact unless substantial damage is avoided by incorporating appropriate engineering into grading and foundations design. The proposed project is not expected to be exposed to the slope instability, erosion or landslide-related hazards, due to the flat topography of the site.

Impact: Due to the expansion potential on the proposed site, there is a potential to expose people and structures to significant geological hazards. Implementation of standard grading and best management practices would prevent substantial erosion and siltation during development of the site.

Mitigation: As part of the City's evaluation of the proposed development proposal, the following mitigation measure would be incorporated into or required of the proposed project.

- A design-level geotechnical investigation for the project would be completed to address the potential geologic hazards previously identified on the site. The geotechnical investigation for individual buildings would be completed and submitted to the City Geologist prior to construction.

Seismicity and Seismic Hazards

As previously discussed, the project site is located in a seismically active region, and therefore, strong ground shaking would be expected during the lifetime of the proposed project. While no active faults are known to cross the project site, ground shaking on the site could damage buildings and other proposed structures, and threaten the welfare of future residents. The liquefaction potential on the site is moderately high, and the ground failure potential ranges from moderately low to low. A project-specific geotechnical report will be prepared for the proposed project. Compliance with the recommendations in this geotechnical report would reduce potential seismic impacts to a less than significant level. In addition, the project buildings would be designed and constructed in conformance with the Uniform Building Code guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking and seismic-related hazards on the site.

Impact: While the project site is subject to strong seismic ground shaking, like the rest of the Bay Area, potential impacts associated with future exposure to the proposed project will be reduced or avoided by conformance with the standards specified in the Uniform Building Code for Seismic Zone 4 and with the recommendations of the geotechnical study required of the proposed project.

Mitigation: Development on the project site would be subject to the following mitigation measure:

- Seismic hazards would be mitigated by construction practices in accordance with Seismic Zone 4 building criteria, as required in the Uniform Building Code.

3. Conclusion

Development of the proposed project, in conformance with standard engineering practices and the requirements above would not result in significant geological impacts. **(Less Than Significant Impact)**

G. HAZARDS AND HAZARDOUS MATERIALS

1. Setting

As described previously, the 1.74-acre site is currently developed with a church. The existing church was built in the late 1950s.[3] The majority of the site is paved, with the exception of the northeast portion of the site. A storage shed was observed in the eastern portion of the site. Several five gallon buckets of "wall finish" were stored behind the shed.

Potential On-Site Contamination Sources

Due to the age of the church, asbestos-containing materials (ACMs) may be present. Potential ACMs were identified during a previous site assessment. ACMs are of concern because exposure to ACMs has been linked to cancer. ACMs are defined by the EPA as materials containing more than one percent (1%) asbestos. Title 8, Section 1529, of the California Code of Regulations (CCR), however, defines asbestos-containing construction material (ACCM) as any manufactured construction material which contains more than one-tenth of one percent (0.1%) asbestos by weight.

Lead-based paint is of concern, both as a source of direct exposure through ingestion of paint chips and as a contributor to lead interior dust and exterior soil. Lead was widely used as a major ingredient in most oil-based paints prior to 1950. In 1978, the Consumer Product Safety Commission banned the use of lead as an additive in paint. Based on the age of the buildings, lead-based paint may also be present.

Potential Off-Site Contamination Sources

A database search was undertaken for this project in August 2003 for the purpose of identifying all sites within the project area where there are known or suspected sources of contamination, as well as sites that handle or store hazardous materials. Federal, state, local, historical and brownfield databases were searched. The databases searched and results are presented in Appendix B of this Initial Study. The identification of nearby contaminated or hazardous materials sites is important so that potential land use compatibility and public safety impacts can be avoided and/or mitigated.

There were three sites reported on the California Hazardous Material Incident Report System (CHMIRS) database within approximately one mile of the project site, 17 sites listed in the California Environmental Protection Agency/Office of Emergency Information (CORTESE) database within approximately one mile of the project site, three sites listed as having leaking underground storage tanks (LUSTs) in the State Water Resources Control Board Leaking Underground Storage Tank Information System database within 0.5 miles of the project site, and one site listed in the Historical UST Registered Database within approximately 0.25 miles of the project site.

[3] Steve Pruett. Gateway Community Church. Personal Communications, August 2003.

2. Environmental Checklist and Discussion

HAZARDS AND HAZARDOUS MATERIALS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐	1
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐	☐	1
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	☐	1
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	☐	1
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐	1
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐	1
7) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐	1

HAZARDS AND HAZARDOUS MATERIALS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
8) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	☐	1

Discussion:

Potential On-Site Contamination Sources

As mentioned previously, ACMs and lead-based paint may be present in the existing building on the site. The National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines require that all potentially friable ACMs be removed prior to building demolition or renovation that may disturb ACMs.

Demolition of buildings which contain lead-based paint may create lead-based dust at concentrations which would expose workers and nearby receptors to potential health risks. State regulations require that air monitoring be performed during and following renovation or demolition activities at sites containing lead-based paint. If the lead-based paint is peeling, flaking, or blistered, it would need to be removed prior to demolition. It is assumed that such paint would become separated from the building components during demolition activities; and must be managed and disposed of as a separate waste stream. If the lead-based paint is still bonded to the building materials, its removal is not required prior to demolition. Currently, the EPA and U.S. Department of Housing and Urban Development are proposing additional lead-based paint regulations.

Impact: Demolition of the buildings on-site could expose construction workers or nearby receptors to harmful levels of lead or ACMs.

Mitigation: Adherence to the following regulatory programs and implementation of the following mitigation measures would reduce potential impacts due to the presence of ACMs and/or lead-based paint:

- Requirements outlined by Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1 shall be followed during demolition activities, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.

- All potentially friable ACMs shall be removed in accordance with NESHAP guidelines prior to building demolition or renovation that may disturb the materials. All demolition activities shall be undertaken in accordance with OSHA standards contained in Title 8 of the CCR, Section 1529, to protect workers from exposure to asbestos. Specific measures could include air monitoring during demolition and the use of vacuum extraction for asbestos-containing materials.

- A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site.

- Materials containing more than one percent (1%) asbestos are also subject to BAAQMD regulations.

Potential Off-Site Contamination Sources

As mentioned previously, the database search found three CHMIRS sites, 17 CORTESE sites, three LUST sites, and one HIST UST site within one mile of the site. The nearest site identified by the database search is a HIST UST site located at 1940 Hicks Avenue, within approximately 0.25 miles of the project site. The HIST UST site is located north and likely down-gradient from the site. Therefore, it is unlikely that this site would have impacted the project site.

All other recorded facilities listed are located more than 0.25 miles and down-gradient from the site, except for two CHMIRS sites. The majority of the sites are unlikely to have impacted the project site. The two CHMIRS sites located up-gradient and approximately 0.75 miles to the south and approximately one mile to the southeast of the site. One CHMIRS site is located at 2443 Booksin Avenue and was reported to have anti-freeze leaking into a storm drain in 1994. The other CHMIRS site, located at 1320 Koch Drive, was reported to have a non PCB mineral oil spill that was later cleaned up. Given the nature of the incidents at these locations and their distance from the project site, it is unlikely that these sites could have impacted the project site.

Other Hazards

The project site is not located within the Santa Clara County Airport Land Use Commission (ALUC) jurisdiction, nor is it on one of the City's designated evacuation routes. The site is also not located within an area subject to wildfires.

3. Conclusion

Implementation of the identified mitigation measures would reduce potential hazardous materials impacts to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

H. HYDROLOGY AND WATER QUALITY

1. Setting

Drainage

There are no waterways present on the site. The nearest waterway is Dry Creek, a seasonal waterway, located approximately 0.3 miles from the proposed site. Dry Creek originates at Los Gatos Creek and flows into the Guadalupe River which flows in a northerly direction for approximately 13.0 miles, eventually emptying into the San Francisco Bay.

Runoff from the site is conveyed to the storm drain system within Cherry Avenue and Hicks Avenue. The site is currently developed with a church and a surface parking area. The northeast portion of the site is currently undeveloped land with sparse vegetation. According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map[4], the site is located within Zone D, which is defined as an area of undermined, but possible, flood hazards.

The site is not subject to seiche or tsunami.

Water Quality

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Storm water runoff from the road is collected by storm drains and discharged into Guadalupe River. The runoff often contains contaminants such as oil and grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.) pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitat of waterways such as Guadalupe River and eventually San Francisco Bay.

The SCVURPPP was developed in accordance with the requirements of the revised 1995 version of the San Francisco Bay Basin Water Quality Control Plan, for the purpose of reducing water pollution associated with urban storm water runoff. This program was also designed to fulfill the requirements of Section 304(1) of the Federal Clean Water Act, which mandated that the EPA develop NPDES Permit application requirements for various storm water discharges, including those from municipal storm drain systems and construction sites.

[4] FEMA map number 060349-0031 D, for The City of San José, Santa Clara County, California. 1982.

2. Environmental Checklist and Discussion

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	☐	1, 2
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	☐	1, 2
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐	☐	1
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?	☐	☐	☒	☐	☐	1
5) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	☐	1, 2
6) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐	1
7) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	☐	1, 10
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒	☐	10

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
9) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐	☐	1, 2
10) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	☐	1, 2

Discussion:

Drainage

The proposed project would actually decrease the amount of impervious surfaces on the site. Currently, 56,746 square feet, or 75 percent, of the site is covered with impervious surfaces. This includes the existing church facility and surrounding parking area. The project proposes landscaping and open space areas on the site. With the proposed design, approximately, 42,196 square feet, or 56 percent, of the site would be impervious. The proposed project, therefore, would decrease the amount of runoff from the site. The proposed project would include connections to nearby storm drains, and runoff from the development would not exceed the capacity of drainage facilities. The specific drainage pattern of the site itself would be slightly altered due to the locations of the proposed residential houses.

Water Quality

Storm water from urban uses contains metals, pesticides, herbicides, and other contaminants such as oil, grease, lead, and animal waste. Runoff from the proposed project may contain oil and grease from parked vehicles, and sediment from the landscaped areas.

The project would be required to obtain an NPDES permit at the time of construction and measures would be required to control both storm water quantity and quality.

The proposed project would be required to utilize structural and nonstructural control measures and management practices to minimize the addition of pollution to the storm water system. The project proposes specific storm water treatment, source control, and site design measures to control storm water.

The project proposes the use of inlet filters for storm water treatment, maintenance measures, such as street sweeping and catch basin cleaning, as source controls, and disconnect downspouts in the site design to reduce storm water pollution.

Impact: Implementation of the proposed project could result in increased storm water pollution, particularly during construction.

Mitigation: The following mitigation measures will be included in the project to conform to the current non-point source programs and to avoid or reduce hydrologic impacts to a less than significant level:

- Proposed development will comply with the NPDES permit issued to the City of San José and other co-permittees of the SCVURPPP, and will include measures to control pollutants discharged to the storm water system. Future activities that require a permit from the City of San José will need to be evaluated for BMPs including, but not limited to the following:

    - storm water retention or detention structures;
    - use of landscaped-based storm water treatment measures, such as biofilters and vegetated swales to manage runoff from the site;
    - minimization of impervious surfaces and increased use of permeable pavement;
    - if inlet filters are used, a maintenance program to maintain the functional integrity of the systems;
    - damp sweeping of streets and on site parking lots;
    - routine storm drain cleaning; and
    - covering of dumpsters and materials handling areas

- Prior to commencement of any grading, clearing, or excavation, the project applicant would comply with the City of San José's Municipal Code and the State Water Resources Control Board (SWRCB) NPDES General Construction Activities Permit as follows:

    - The applicant shall develop, implement, and maintain a SWPPP. The SWPPP must specifically address BMPs that will be included in the project to the maximum extent practicable, for both the construction and post construction periods. The SWPPP would include erosion and sediment control measures, waste disposal controls, post construction sediment, maintenance responsibilities, and non-storm water management controls. The applicant shall maintain a copy of the most current SWPPP on site and shall provide a copy to any City representative or inspector on demand.

    - The applicant shall file a Notice of Intent (NOI) to be covered by the NPDES General Permit for Construction Activity with the SWRCB 30 days prior to any construction on the site.

- In addition, the SWPPP must include a description of erosion control practices, which may include BMPs as specified in the California Storm Water Best Management Practice Handbook for reducing impacts on the City's storm drainage system from construction activities.

- The project will conform with the City's Grading Ordinance during construction. Prior to issuance of a grading permit, the applicant shall submit copies of the NOI and Erosion Control Plan (if required) to the City Project Engineer, Department of Public Works.

3. Conclusion

With the implementation of the above mitigation measures, the project would not result in significant drainage or water quality impacts. **(Less Than Significant Impact with Mitigation Incorporated)**

I. LAND USE

1. Setting

Existing Land Use

The project site is located at 1952 Hicks Avenue in San José. The 1.74-acre parcel (APN 439-55-062) is developed with a church, associated driveways and parking spaces, and some landscaping. The portion of the site fronting Hicks Avenue has two driveways leading to the parking area. Landscaping, including lawns, small shrubs, and flowers, is present on the southwest portion of the site, in front of the church. There are also some shrubs and flowers along the northwest and southeast borders of the site.

The northeast portion of the site consists of a parking area and undeveloped land. A wire fence divides this portion of the site. Skateboard ramps, wood planks, and haystacks are stored in this area (see Photos 4 and 5). The undeveloped portion nearest Cherry Avenue is vacant except for seven trees.

Surrounding Land Uses

Figure 3, an aerial photograph, shows the existing uses on and in the vicinity of the project site. The surrounding land uses are single family residential and public/quasi-public.

Single family detached residential uses border the site to the north, south, and west. Willow Glen High School, Willow Glen Plus High School, Willow Glen Middle School and Liberty High School are located east of the site. The schools share an athletic field and track, which is located just east of the site, across Cherry Avenue.

2. Environmental Checklist and Discussion

LAND USE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Physically divide an established community?	☐	☐	☐	☒	☐	1
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒	☐	1, 2, 11
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	☐	1

Discussion:

General Plan Designation

The site is designated as *Public/Quasi-Public.* Typically, this land use designation is intended for public and private uses such as schools, homeless shelters, and private hospitals. According to the General Plan Discretionary Alternate Use Policy regarding Surplus Public/Quasi-Public and Public Parks/Open Space Land, an alternate use, such as the proposed single family residential land use, is allowed. The proposed project is, therefore, in conformance with the City's General Plan.

Proposed Project

The project would result in the removal of the Gateway Community Church from the site. The proposed project would be compatible with the existing land uses in the area. Residential uses border the site to the north, south and west. The proposed project would not place housing in an inappropriate location, and would not divide or disrupt an existing community. The proposed project would not conflict with any adopted habitat or other conservation plan.

3. Conclusion

The proposed project is consistent with applicable land use plans and policies and would not result in any significant environmental impacts associated with the proposed residential uses. **(No Impact)**

J. MINERAL RESOURCES

1. Setting

The project site is located along Hicks Avenue, within an urbanized area of San José. It does not contain any known or designated mineral resources.

2. Environmental Checklist and Discussion

MINERAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	☐	2
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	☐	2

Discussion: The project would not result in the loss of availability of a known mineral resource. No mineral resource recovery sites are located or designated within the proposed site.

3. Conclusion

The project would not result in a significant impact from the loss of availability of a known mineral resource. **(No Impact)**

K. NOISE

1. Setting

Background Information

Several factors influence sound as it is perceived by the human ear, including the actual level of sound, the period of exposure to the sound, the frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a "decibel" scale which serves as an index of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the "A-weighted" decibel or dBA. Further, sound is averaged over time and penalties are added to the average for noise that is generated during times that may be more disturbing to sensitive uses such as early morning, or late evening.

Since excessive noise levels can adversely affect human activities (such as conversation and sleeping) and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. The noise guidelines are almost always expressed using one of several noise averaging methods such as **L_{eq}**, **L_{dn}**, or **CNEL**.[5] Using one of these descriptors is a way for a location's overall noise exposure to be measured, realizing of course that there are specific moments when noise levels are higher (e.g., when a jet is taking off from Norman Y. Mineta San José International Airport or a leafblower is operating) and specific moments when noise levels are lower (e.g., during lulls in traffic flows on Cherry Avenue or in the middle of the night). For this report, the L_{dn} will be used as it is consistent with the guidelines for the City of San José and the State of California.

Applicable Noise Standards and Policies

The City of San José's General Plan contains goals and policies which pertain to desired noise levels for various land uses located within the City. These policies and goals are expressed in terms of the L_{dn}. The General Plan cites long-term and short-term exterior L_{dn} goals for residential uses of 55 dBA and 60 dBA, respectively. Outdoor uses on sites where the L_{dn} is above 60 dBA should be limited to acoustically protected areas.

The General Plan also distinguishes between noise from transportation sources and noise from non-transportation (i.e., stationary) sources. The short-term exterior noise goal is 60 dBA L_{dn} for transportation sources. For stationary sources, the exterior noise goal is 55 dBA L_{dn} at the property line between sensitive land uses (e.g., residences, schools, libraries, hospitals, etc.) and non-sensitive land uses (e.g., industrial, commercial, etc.).

The above noise goals notwithstanding, the San José General Plan specifically recognizes that these goals may not be achieved within the timeframe of the General Plan at certain areas of the City, which are affected by noise from aircraft and major roadway traffic. These areas

[5] **L_{eq}** stands for the Noise Equivalent Level and is a measurement of the average energy level intensity of noise over a given period of time such as the noisiest hour. **L_{dn}** stands for Day-Night Level and is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. **CNEL** stands for Community Noise Equivalent Level; it is similar to the L_{dn} except that there is an additional five dB penalty applied to noise which occurs between 7:00 PM and 10:00 PM. As a general rule of thumb where traffic noise predominates, the CNEL and L_{dn} are typically within two dBA of the peak-hour L_{eq}.

include: 1) the Downtown Core Area, 2) the area around Norman Y. Mineta San José International Airport, and 3) areas adjacent to major roadways.

Existing Noise Conditions

As described previously, the site is located in an urbanized area of San José. The site is currently occupied by a church and surface parking. Noise sensitive receptors in the area include the residential neighborhoods to the north, south and west of the site.

Vehicular traffic on Hicks Avenue and Cherry Avenue, both two-lane residential streets, are the dominant sources of noise in the project site area. Other sources include noise from the neighboring schools and fields across Cherry Avenue.

2. Environmental Checklist and Discussion

NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project result in:						
1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	☐	1
2) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	☐	1
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐	1
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐	☐	1
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1

Discussion: The project proposes the development of eight single family residential units.

Long-Term Noise Impacts

The noise levels generated by activity at the project would be similar to existing noise levels generated by the church and similar to levels generated by the adjacent residential land uses.

Given the site's location within a residential area, and the fact that the site is not located near any freeways or major arterials, it is not anticipated that the project would be subject to high noise levels.

Short-Term Construction Impacts

It is anticipated that during the construction of the proposed project, the highest noise levels would be generated by demolition, grading and paving equipment. Maximum noise levels could reach 85 dBA at nearby houses for short periods of time when construction equipment is close. Construction equipment would be located in proximity to the residential neighborhoods and schools for short periods of time, and the noise from construction would likely be an annoyance to these land uses. Due to the proximity of the sensitive receptors, this impact would be significant.

Impact: The proposed project would result in a short-term increase in noise levels in the project area during demolition and construction activities.

Mitigation: The proposed project would implement the following mitigation measures to reduce noise impacts to nearby residents to a less than significant level:

- Construction will be limited to the hours of 7:00 AM to 7:00 PM. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan, and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.

- Equip all internal combustion engine-driven equipment with mufflers which are in good condition and appropriate for the equipment.

- Utilize "quiet" models of air compressors and other stationary noise sources where technology exists.

- Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a project construction area. Staging of construction equipment will be as far as feasible from the sensitive residential and office uses to the north and west.

- Prohibit unnecessary idling of internal combustion engines.

- Designate a "noise disturbance coordinator: who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., beginning work too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator would be conspicuously posted at the construction site.

3. Conclusion

The proposed project would not generate significant long-term noise impacts. Implementation of the mitigation measures identified above would minimize short-term noise impacts during construction. **(Less Than Significant Impact with Mitigation Incorporated)**

L. POPULATION AND HOUSING

1. Setting

According to the Association of Bay Area Governments (ABAG) the City of San José's population for 2000 was 972,200 with 957,000 households. For the year 2020, the projected population is 1,101,500 and 1,084,600 households. The average number of persons per household in San José in 2000 was 3.31, an average which is projected to decrease slightly to 3.19 by the year 2020.

Approximately 410,990 jobs were provided within the City of San José's Sphere of Influence in 2000, and projections show an increase to 510,410 jobs by the year 2020.

The above data show an existing job/housing imbalance in San José, in that there is a surplus of housing in relation to the number of jobs within the City. This imbalance is opposite of the condition that a number of other cities in Santa Clara County experience, where there is a shortage of housing in relation to the number of jobs. In general, it is highly desirable for communities to have a balance between residences and jobs. The fact that, taken as a whole, the Bay Area has a shortage of housing in relationship to the number of jobs is one reason why there is a sizeable commute from outlaying residential areas as far away as the San Joaquin Valley to jobs in the Bay Area.

Currently, there is no housing on the project site. The existing Gateway Community Church provides a few jobs on the site.

2. Environmental Checklist and Discussion

POPULATION AND HOUSING						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	☐	1
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐	1
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐	1

Discussion: Socio-economic impacts are not considered environmental impacts, as defined by CEQA Guidelines 15131. However, the physical impacts associated with the relationship between employment and housing include traffic, noise, and air quality impacts. The project proposes the development of eight residential units. As a part of the project, the existing church would be demolished. Thus, the project would replace the existing jobs provided by the church with residents. While the project would increase the number of housing units in a City that already has more housing than jobs within its boundaries, this is not considered a significant environmental impact, because the proposed increase in the number of residential units is minimal. Due to the small size of the project, the proposed project is not considered to result in a significant impact on the City's jobs/housing imbalance.

3. Conclusion

The development of the site with the proposed residential project would not create substantial new population growth and would not significantly affect the City's jobs/housing imbalance. **(Less Than Significant Impact)**

M. PUBLIC SERVICES

1. Setting

Fire Service

Fire protection to the project site is provided by the San José Fire Department (SJFD), which serves a total area of 203 square miles. The SJFD responds to all fires, hazardous materials spills, and medical emergencies (including injury accidents) in the project area. It is the SJFD's goal to not exceed four minutes for the "first response" and six minutes for the "second response" times.

The closest fire station to the site is San José Fire Station No. 6, located at 1386 Cherry Avenue, approximately 0.8 miles from the site.

Police Station

Police protection services are provided to the project site by the City of San José Police Department (SJPD). Officers patrolling the project area are dispatched from police headquarters, located at 201 West Mission Street.

The SJPD consists of 83 beats. Each beat is assigned to one of 16 Districts. The beats are identified with a number and the Districts are identified with a letter. The project site is located in District T, Beat 3 of the SJPD's service area. The most frequent crimes in the area in the fourth quarter of 2002 included narcotics, petty theft, traffic accidents with no injuries, simple assault and vandalism.

Schools

The project site is located within the San José Unified School District. The nearest elementary, middle, and high schools are Booksin Elementary School (approximately 0.3 miles from the site), Willow Glen Middle School (approximately 0.2 miles from the site), Willow Glen High School (approximately 0.2 miles from the site) and Willow Glen Plus High School (approximately 0.2 miles from the site).

Parks

The project site is located in Council District 6, which has 12 neighborhood parks. The nearest park is Wallenberg Park, approximately 0.2 miles from the site. Council District 6 has a total of 282.4 acres of neighborhood/community parkland. However, the district's parkland goal is approximately 295.9 acres; therefore, the district is considered deficient in park space.

2. Environmental Checklist and Discussion

PUBLIC SERVICES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
Fire Protection?	☐	☐	☐	☒	☐	1
Police Protection?	☐	☐	☐	☒	☐	1
Schools?	☐	☐	☐	☒	☐	1
Parks?	☐	☐	☐	☒	☐	1
Other Public Facilities?	☐	☐	☐	☒	☐	1

Discussion:

Fire and Police Service

The project would be constructed in conformance with current codes, including features that would reduce potential fire hazards. The project design would also be reviewed by the SJFD to ensure that it incorporates appropriate safety features to minimize criminal activity.

Given the infill site location and the relative small size of the project, the project is unlikely to substantially increase the demand for public services, including fire and police protection, or to require construction or expansion of public facilities.

Schools

The project would add approximately 27 additional residents to the site area, and therefore, would not significantly increase the demand for local schools and park facilities. Furthermore, the proposed project would not be anticipated to trigger construction of a new school.

Parks

Given the number of parks and recreation facilities (e.g. school athletic fields) in the area and the small number of residents generated by the proposed project, the project is not anticipated to significantly impact park facilities or require construction of new facilities.

3. Conclusion

The proposed project would incrementally increase demand for public services and facilities at the project site. The project would not result in substantial adverse physical impacts associated with a need for new facilities in order to maintain acceptable levels of service or performance objectives for public services. **(Less Than Significant Impact)**

N. RECREATION

1. Setting

The City of San José currently manages 3,500 acres of regional and neighborhood parkland. The City provides developed parklands, open space, and community facilities to serve its residents. Some of these facilities are supplemented by other public uses such as public school playgrounds and fields, county parks, and trail facilities on Santa Clara Valley Water District lands. Park and recreation facilities vary in size, use, type of service, and provide for neighborhood, citywide, and regional uses. The City's Departments of Parks, Recreation and Neighborhood Services, General Services and Public Works are responsible for the design, construction, operation, and maintenance of all City park and recreational facilities.

The City's General Plan has established level of service benchmarks for parks and community centers. The City has a service level goal of 3.5 acres of neighborhood and community serving parkland per 1,000 residents, of which a minimum of 1.5 acres is City-owned and up to two acres is school playground/fields. All of this parkland would be located within 0.75 of a mile walking distance of each residence. In addition, the City seeks to provide 7.5 acres of regionally serving parkland and 500 square feet of community center space per 1,000 residents.

The project site is located in Council District 6, which has one community garden, 12 neighborhood parks, one trail, and a senior center. Council District 6 has a total of 282.4 acres of neighborhood/community parkland. However, the district's parkland goal is approximately 295.9 acres; therefore, the district is considered deficient in park space.

2. Environmental Checklist and Discussion

RECREATION						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐	☐	1
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐	☐	1

Discussion: Future residents of the proposed project site would use recreational facilities in the area. Given the small size of the project and the existing recreation field adjacent to the site, the project is unlikely to create significant new demand for recreational services or facilities. In addition, the proposed project would be required to provide both private and common open space in order to conform to the City's adopted *Residential Design Guidelines*.

The City of San José has adopted the Parkland Dedication Ordinance (PDO) (Chapter 19.38) and Park Impact Ordinance (PIO) requiring residential developers to dedicate public parkland or pay in-lieu fees, or both, to offset the demand for neighborhood parkland created by their housing developments. Each new residential project is required to conform to the PDO and PIO. The acreage of parkland required is based upon the Acreage Dedication Formula outlined in the Parkland Dedication Ordinance.[6] The project would be required to comply with City policies regarding parkland dedication.

3. Conclusion

The proposed project would incrementally increase the demand of services in the area. However, for the reasons stated above, the project would not result in significant adverse impacts to recreational facilities. **(Less Than Significant Impact)**

[6] Minimum Acreage Dedication = (0.003 acres) x (number of dwelling units) x (average persons per household).

O. TRANSPORTATION

1. Existing Setting

Existing Roadway Network

The existing roadway network serving the study area includes regional facilities, such as freeway and expressways, as well as local roadways such as arterials, collectors, and local streets. Regional and local access to the proposed site is provided via the streets described below.

Regional Access

Interstate 280 (I-280) is an eight-lane, north-south freeway. Near downtown San José, it has an east/west orientation. Access to and from the site is provided via an interchange at Meridian Avenue and Bird Avenue.

I-880 is north-south freeway providing regional access from East Bay cities to San José, where it becomes State Route 17. Access to the project site is provided via Hamilton Avenue.

State Route 87 (SR 87) is a four-lane freeway that is aligned in a north-south orientation. SR 87 begins at its interchange with SR 85 and extends northward to Taylor Street where it becomes an at-grade facility and changes designation to Guadalupe Parkway. Guadalupe Parkway runs north, with an interchange at US 101, and becomes Charcot Avenue at First Street. The segment of Guadalupe Parkway between Taylor Street and US 101 will be upgraded to a six-lane freeway as part of the SR 87 freeway upgrade project. Access to the project site is provided via Curtner Avenue.

Almaden Expressway is a six-lane north-south major arterial. It begins just south of downtown San José and extends southward into the Almaden Valley where it terminates at Harry Road. Almaden Expressway provides access to the site via Lincoln Avenue.

Local Access

Hicks Avenue is a two-lane, north-south roadway that begins at its intersection with Glen Dell Drive and extends southward and ends at Curtner Avenue.

Cherry Avenue is a two-lane, north-south roadway that extends from Fruitdale Avenue to Bouret Drive. Cherry Avenue is a discontinuous road between Avis Drive and Glen Eyrie Avenue where Los Gatos Creek runs. Cherry Avenue becomes a west-east roadway from Bouret Drive to Almaden Expressway.

Existing Transit Service

The Santa Clara County Valley Transportation Authority (VTA) has jurisdiction over public transit in Santa Clara County. Santa Clara County VTA currently operates three local bus routes, bus route 26, 62 and 82 within the vicinity of the proposed project.

Route 26 provides service between Eastridge and Sunnyvale/Lockheed Martin via Campbell Avenue, Bascom Avenue, Curtner Avenue/Tully and Capitol Expressway, with 20-minute headways during commute hours. Bus Route 26 stops at Curtner Avenue and Meridian Avenue and Curtner Avenue and Lincoln Avenue within the project vicinity.

Route 63 provides service between Almaden Valley and San José State via Meridian Avenue and Camden Avenue, with 20-minute headways during commute hours. Bus Route 63 stops at Meridian Avenue and Curtner Avenue and Meridian Avenue and Hamilton Avenue within the project vicinity.

Route 82 provides service between 19th/Mission and Westgate via Hamilton Avenue/Pine Avenue, Newport Avenue and Minnesota Avenue, with 30-minute headways during commute hours. Bus Route 82 stops at Meridian Avenue and Hamilton Avenue and Minnesota Avenue and Lincoln Avenue within the project vicinity.

Existing Bicycle and Pedestrian Facilities

Various bikeways are found along the previously described roadways within the vicinity of the project site. Class II bikeways are provided on Curtner Avenue and Cherry Avenue.[7]

The streets fronting the site (Hicks Avenue and Cherry Avenue) have sidewalks on both sides of the street.

7 Class II bikeways are bicycle lanes on the edge of roadways reserved for the exclusive use of bicycles, so designated with special signing and pavement markings.

2. Environmental Checklist and Discussion

TRANSPORTATION/TRAFFIC						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?	☐	☐	☒	☐	☐	1, 2
2) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	☐	1, 2
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	☐	1
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☐	☒	☐	1, 2
5) Result in inadequate emergency access?	☐	☐	☐	☒	☐	1
6) Result in inadequate parking capacity?	☐	☐	☐	☒	☐	1
7) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒	☐	1

Discussion: Based upon the *Institute of Transportation Engineers'* trip generation rates, the proposed redevelopment project would generate approximately eight peak hour trips, and the project would not adversely impact levels of service at signalized intersections or on freeway segments.[8] The project would not result in more than 100 new peak hour trips, and per City of San José and VTA Transportation Impact Analysis Guidelines, a transportation impact analysis is not required. Based on this, the project would be in conformance with the City of San José Transportation Level of Service Policy and would not result in a significant impact.

The project proposes street improvements, such as construction of a curb, gutter and sidewalk, on the half of Cherry Avenue which fronts the site. The project would not impact any bicycle facilities in the project vicinity or conflict with adopted policies, plans or programs supporting alternative transportation.

3. Conclusion

The proposed project would not result in substantial additional peak hour traffic in the area or result in significant impacts to the transportation system. **(Less Than Significant Impact)**

[8] Institute of Transportation Engineers. *Trip Generation.* (#DU) x (1.01 trip generation on a weekday, peak hour of adjacent street traffic, one hour between 4 and 6 PM/DU)

P. UTILITIES AND SERVICE SYSTEMS

1. Setting

Water service to the site is supplied by the San José Water Company. Sanitary sewer lines are owned and maintained by the City of San José. Storm drainage lines in the area are also provided and maintained by the City of San José. There is an eight inch and 12 inch storm drain line along Cherry Avenue.

Residential solid waste and recycling collection services in the area of the site are provided by the Green Team of San José. San José has a contract with Newby Island Landfill which extends to 2019. The City of San José disposes approximately 250,000 tons of residential garbage per year at Newby Island Landfill.

Natural gas and electric service is provided to the site by Pacific Gas and Electric. There are above ground electrical lines along the site's northern and southern boundary.

2. Environmental Checklist and Discussion

UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	☐	1, 2
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	☐	1, 2
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	☐	1, 2
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	☐	1, 2
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	☐	1

UTILITIES AND SERVICE SYSTEMS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	☐	1, 2
7) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	☐	1, 2

Discussion:

Water Supply

Development of residential uses on the project site would increase demand for water but would not substantially increase demand beyond what is anticipated for the City's existing General Plan.

Storm Drainage

The proposed project would result in a mix of paved and landscaped surfaces. The proposed project would result in a decrease of impervious surfaces, which would decrease the amount of runoff from the site (see discussion in *Section H. Hydrology*). The project proposes additional storm drains along Cherry Avenue.

Sanitary Sewer

The project site would slightly increase the demand on the sanitary sewer services provided by the City of San José. The dwelling units that would be developed on the site as a result of the proposed project would generate approximately 1,920 gallons per day of sewage, which would have to be transported and treated.[9]

Solid Waste

The proposed project would generate an increase in solid waste associated with future residents, therefore, resulting in an incremental increase in residential solid waste. The generation of solid waste resulting from future growth would continue to be minimized through implementation of the City's Integrated Waste Management Program, includes the following services:

- curbside collection of residential recyclables from both single family and multifamily dwellings (including aluminum, glass, tin, mixed paper, mixed plastic bottles, waste oil, and small scrap);

[9] Andrew Turner. City of San José Department of Public Works. Personal Communication, 2003. Based on the following formula: sewage gallons per day = (DU) x (240 gal./DU/day)

- collection of bulky goods from residences, city corporation yards, and city sponsored neighborhood clean-up events for potential reuse and recycling;

- processing and marketing of recyclables at materials recovery facilities; and community relations/education programs;

- curbside collection of yard trimmings from single-family and multi-family dwellings.

3. Conclusion

The proposed project would not require substantial new utility lines and would not exceed the capacity of existing utility systems. **(Less Than Significant Impact)**

Q. MANDATORY FINDINGS OF SIGNIFICANCE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐	☐	1, 5
2) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐	☐	1
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	☐	1

Discussion: The proposed project would add eight single family detached residential units to the project site. The proposed project would be consistent with the surrounding land uses, would not create significant amounts of noise, air quality, or land use impacts, nor would it create any other significant impacts to the site. The proposed project would not result in significant environmental impacts with the implementation of the mitigation measures described in this report.

Conclusion:

The proposed project would not result in unavoidable or unmitigatable significant impacts.

CHECKLIST INFORMATION SOURCES

1. CEQA Guidelines - Professional judgment and expertise of the environmental specialist preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.

2. City of San José. 2020 General Plan.

3. Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program. Santa Clara County Important Farmland. 2000.

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5. Basin Research Associates, Inc. Archaeological Sensitivity Maps, San José West Quadrangle, California, Santa Clara County, 7.5 minute series. March 1993.

6. Cooper-Clark and Associates. Geotechnical Investigation City of San José's Sphere of Influence. Technical Report and Maps. 1974.

7. United States Geological Service. USGS Generalized Geological Map. 1975.

8. County of Santa Clara, Department of Public Works. County of Santa Clara soil map sheet 10N/04E. 1964.

9. United States Department of Agriculture, et al. Soils of Santa Clara County. June 1968.

10. Federal Emergency Management Agency. Flood Insurance Rate Map. Community-Panel Number 060349-0031 D. August 1982.

11. City of San José Zoning Ordinance.

12. Preservation Architect. Historic Resource Assessment. October 2003.

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APPENDIX A

HISTORIC RESOURCE ASSESSMENT

PREPARED BY
PRESERVATION ARCHITECT

OCTOBER 2003

APPENDIX B

THE EDR RADIUS MAP WITH GEOCHECK

PREPARED BY:
ENVIRONMENTAL DATA RESOURCES, INC.

AUGUST 2003